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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,110	07/25/2003	Harry Michael Schell	9400-31	3761
39072 7590 02/01/2007 MYERS BIGEL SIBLEY & SAJOVEC, P.A. P.O. BOX 37428 RALEIGH, NC 27627			EXAMINER RIES, LAURIE ANNE	
			ART UNIT	PAPER NUMBER
			2176	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/01/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.		Applicant(s)	
	10/627,110		SCHELL, HARRY MICHAEL	
	Examiner		Art Unit	
	Laurie Ries		2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-10 and 12-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed 20 November 2006, to the Original Application, filed 25 July 2003.
2. Claims 2-4, 6-7, 12-14, and 16-17 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1).
3. Claims 5 and 15 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) in view of Madison (U.S. Publication 2004/0083273 A1).
4. Claims 8 and 18 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) in view of Digate (U.S. Publication 2004/0161080 A1):
5. Claims 9-10 and 19-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) in view of Berard (U.S. Patent 6,906,817 B1).

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6. Claim 21 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Berard (U.S. Patent 6,906,817 B1) in view of Tanaka (U.S. Publication 2004/0001223 A1) and Madison (U.S. Publication 2004/0083273 A1).

7. Claims 2-10 and 12-21 are pending. Claims 1 and 11 have been cancelled. Claims 6, 16, and 21 are independent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-4, 6-7, 12-14, and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1).

As per independent claims 6 and 16, Tanaka discloses a computer program product and a method of routing print files in a computer system including evaluating content of at least one print file (See Tanaka, Page 3, paragraph 0040), where the print file is configured by an application for printing on a printer device (See Tanaka, Page 3, paragraph 0040), and selectively routing the print file based on the evaluated content of the print file to a non-printer device instead of to a printer device in response to the

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evaluated content of the print file (See Tanaka, Figure 6, and Pages 3-4, paragraph 0045).

Tanaka does not disclose expressly that the evaluation is based on a routing policy; however, Tanaka does disclose that the routing is based on information derived from a distribution route service database.

It would have been obvious to one of ordinary skill in the art at the time of the invention to conclude that the information contained in the distribution route service database comprises a routing policy. The motivation for storing the routing policy information in a distribution route service database would be to allow for subsequent invoicing based on the content of the print order and the distribution route information (See Tanaka, Page 3, paragraph 0040). Therefore, it would have been obvious to conclude that the information contained in the distribution route service database comprises a routing policy for the benefit of allowing for subsequent invoicing based on the content of the print order and the distribution route as stored in the distribution route service database to obtain the invention as specified in claims 6 and 16.

As per dependent claims 2 and 12, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka also discloses searching the content of the print file for one or more keywords that are defined by the routing policy (See Tanaka, Pages 3-4, paragraph 0045).

As per dependent claims 3 and 13, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka also discloses comparing the content of the print

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file to one or more data structures that are defined by the routing policy (See Tanaka, Page 3, paragraph 0040).

As per dependent claims 4 and 14, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka also discloses evaluating content based on setting files (See Tanaka, Page 3, paragraph 0040). Tanaka does not disclose expressly that the settings are contained in an INI file, however, it is well known in the art that an INI file contains system configuration or setting information (See definition of INI file, Microsoft Computer Dictionary, Fifth Edition, Page 273).

As per claims 7 and 17, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka also discloses posting the print file on a Web page (See Tanaka, Page 3, paragraph 0042, Pages 3-4, paragraph 0045, and Figure 7).

9. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 5 and 16 above, and further in view of Madison (U.S. Publication 2004/0083273 A1).

As per dependent claims 5 and 15, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka does not disclose expressly renaming the print file based on the content of the print file and the routing policy. Madison discloses renaming a file based upon the data within the file, such as XML data indicating a successful or unsuccessful file upload, and a routing policy, such as the value of the XML data updated according to the result of the upload attempt (See Madison, Page 8,

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paragraphs 0085-0088). Tanaka and Madison are analogous art because they are from the same field of endeavor of managing electronic data. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the renaming of a file of Madison with the file routing system and method of Tanaka. The motivation for doing so would have been to allow a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data (See Madison, Page 8, paragraph 0088). Therefore, it would have been obvious to combine Madison with Tanaka for the benefit of allowing a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data to obtain the invention as specified in claims 5 and 15.

10. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 6 and 16 above, and further in view of Digate (U.S. Publication 2004/0161080 A1).

As per dependent claims 8 and 18, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka does not disclose expressly emailing the file to one or more users on a computer network based on the content of the print file and the routing policy. Digate discloses a rules based messaging system including emailing data based on various defined rules (See Digate, Page 1, paragraph 0012). Tanaka and Digate are analogous art because they are from the same field of endeavor of

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distributing electronic information. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the emailing of data of Digate with the routing policy of Tanaka. The motivation for doing so would have been to control the distribution of the data (See Digate, Page 1, paragraph 0013). Therefore, it would have been obvious to combine Digate with Tanaka for the benefit of controlling the distribution of data to obtain the invention as specified in claims 8 and 18.

11. Claims 9-10 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 6 and 16 above, and further in view of Berard (U.S. Patent 6,906,817 B1).

As per dependent claims 9-10 and 19-20, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka does not disclose expressly importing information from the print file into a spreadsheet application, a word processor application, and/or a database application, and transferring information from the print file to known fields in a report defined by the routing policy. Berard discloses sending information from the print file to a database application (See Berard, Column 8, lines 31-35). It is well known in the art that "importing information" is equivalent to sending information, or bringing information from one application or program to another (See Microsoft Computer Dictionary, Fifth Edition, definition of "import"). Berard also discloses rules that extract data such as a telephone number or email address from the file to known fields within the receiving application as defined by the routing policy (See

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Berard, Column 6, lines 40-47 and lines 50-67). Tanaka and Berard are analogous art because they are from the same field of endeavor of managing electronic data for delivery. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the transfer of information to a database application and the transfer of information from the file to known fields in a report of Berard with the routing system and method of Tanaka. The motivation for doing so would have been to associated the inputted file with one of a number of previously defined documents or document types (See Berard, Column 6, lines 48-50). Therefore, it would have been obvious to combine Berard with Tanaka for the benefit of associating the inputted file with one of a number of previously defined documents or document types to obtain the invention as specified in claims 9-10 and 19-20.

12. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berard (U.S. Patent 6,906,817 B1) in view of Tanaka (U.S. Publication 2004/0001223 A1) and Madison (U.S. Publication 2004/0083273 A1).

As per independent claim 21, Berard discloses a method of routing print files in a computer system including a print file configured by an application for printing on a printer device (See Berard, Column 6, lines 40-47 and lines 50-58, Column 7, lines 58-67, and Column 9, lines 1-9). Berard also discloses sending information from the print file to a database application instead of routing the print file to a printing device (See Berard, Column 8, lines 31-35).

Berard does not disclose expressly searching the content of the file to identify one or more keywords that are defined by a routing policy or selectively renaming the file based on the identified keywords.

Tanaka discloses searching the content of a file to identify keywords defining a routing policy for the file (See Tanaka, Page 3, paragraph 0040).

Madison discloses renaming a file based upon the data within the file, such as XML data indicating a successful or unsuccessful file upload, and a routing policy, such as the value of the XML data updated according to the result of the upload attempt (See Madison, Page 8, paragraphs 0085-0088).

Berard, Tanaka, and Madison are analogous art because they are from the same field of endeavor of managing electronic data.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the keyword search of Tanaka with the routing method of Berard. The motivation for doing so would have been to determine and display the distribution route services and the privilege services to a user (See Tanaka, Page 3, paragraph 0040).

At the time of the invention it would also have been obvious to one of ordinary skill in the art to include the renaming of a file of Madison with the file routing system and method of Tanaka. The motivation for doing so would have been to allow a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data (See Madison, Page 8, paragraph 0088).

Therefore, it would have been obvious to combine Tanaka and Madison with Berard for the benefit of determining and displaying the distribution route services and the privilege services to a user and allowing a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data to obtain the invention as specified in claim 21.

Response to Arguments

13. Applicant's arguments filed 20 November 2006 have been fully considered but they are not persuasive.

Applicant argues on Pages 6-8 of the Instant Amendment that Tanaka fails to teach a print file. The Office respectfully disagrees. Tanaka teaches that a file that contains both setting information as well as printable information, such as setting file A, containing "magazine A", comprised of printable data, as well as distribution route information, "privilege service A", and information pertaining to the effective period of the privilege service (See Tanaka, Page 3, paragraph 0045). Therefore, Tanaka teaches a print file.

Applicant argues on Pages 7-8 of the Instant Amendment that Tanaka fails to teach that a print file is selectively routed to a non-printer device instead of to a printer device in response to the evaluation of the content of the print file. The Office

respectfully disagrees. Tanaka teaches that the distribution route information contained within the print file may determine that the print file be uploaded to a personal computer rather than routed to a print device (See Tanaka, Page 4, paragraph 0045-0046).

Applicant argues on Page 9 of the Instant Amendment that Tanaka fails to teach that the contents of a file are evaluated based on a routing policy. The Office respectfully disagrees. While Tanaka does not teach expressly that the evaluation is based on a routing policy, Tanaka does teach that the routing is based on information derived from a distribution route service database. It would have been obvious to one of ordinary skill in the art at the time of the invention to conclude that the information contained in the distribution route service database comprises a routing policy, providing the benefit of allowing for subsequent invoicing based on the content of the print order and the distribution route information. (See Tanaka, Page 3, paragraph 0040).

Applicant argues on Page 9 of the Instant Amendment that Tanaka fails to teach that a file is selectively routed to a non-printer device instead of being printed by the print server in response to evaluation of the content of the file based on a routing policy. The Office respectfully disagrees. Tanaka teaches that the distribution route information and effective period of privilege service information contained within the print file may determine that the print file be uploaded to a personal computer rather than routed to a print device (See Tanaka, Page 4, paragraph 0045-0046).

Applicant argues on Pages 9-10 of the Instant Amendment that Tanaka fails to teach that the print file is selectively routed to a non-printer device instead of to a printer

device based on evaluation of the print file and a routing policy. The Office respectfully disagrees. Tanaka teaches that the distribution route information contained within the print file may determine that the print file be uploaded to a personal computer rather than routed to a print device (See Tanaka, Page 4, paragraph 0045-0046). Tanaka does teach that the routing is based on information derived from a distribution route service database. It would have been obvious to one of ordinary skill in the art at the time of the invention to conclude that the information contained in the distribution route service database comprises a routing policy, providing the benefit of allowing for subsequent invoicing based on the content of the print order and the distribution route information (See Tanaka, Page 3, paragraph 0040).

Applicant argues on Page 10 of the Instant Amendment that Tanaka in combination with Berard fails to teach that a print file is selectively imported into a spreadsheet application, a word processor, and/or a database application instead of being routed to a printer device based on evaluation of the content of the print file and a routing policy. The Office respectfully disagrees. Berard teaches sending information from a print file to a database application (See Berard, Column 8, lines 31-35). Berard also teaches rules that extract data such as a telephone number or email address from the file to known fields within the receiving application as defined by the routing policy (See Berard, Column 6, lines 40-47 and lines 50-67).

Applicant argues on Page 11 of the Instant Amendment that Berard in combination with Tanaka and Madison fails to teach searching the content of a file to identify keywords defining a routing policy for the file. The Office respectfully disagrees.

Tanaka teaches searching the content of a file to identify keywords defining a routing policy for the file, such as the distribution route information and name of the privilege service analyzed by the setting file analysis unit (See Tanaka, Page 3, paragraph 0040). Applicant argues on Pages 7-8 of the Instant Amendment that Berard in combination with Tanaka and Madison fails to teach that the content of the uploaded file is examined or that the content of a file is searched to identify one or more keywords that are defined by a routing policy, or that the file is selectively renamed based on identifying one or more keywords via the file search. The Office respectfully disagrees. Tanaka teaches searching the content of a file to identify keywords defining a routing policy for the file (See Tanaka, Page 3, paragraph 0040). Madison teaches renaming a file based upon data within the file, such as XML data indicating a successful or unsuccessful file upload, and a routing policy, such as the value of the XML data updated according to the result of the upload attempt (See Madison, Page 8, paragraphs 0085-0088).

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER